



STATE OF WISCONSIN

Senate Journal

Ninety–Ninth Regular Session

11:00 A.M.

THURSDAY, April 15, 2010

The Senate met.

The Senate was called to order by President Risser.

CALL OF ROLL

The roll was called, disclosing the presence of a quorum.

Pursuant to Senate Rule 15, the official attendance for session was:

Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Absent – None.

Absent with leave – None.

The Senate stood for the prayer which was offered by Father Gary Wegner from St. Lawrence Seminary, near Fond du Lac.

“Holy One,

You are the hidden and the manifest, the source of all–being and the bringer of peace.

In this springtime of the year, as the days grow longer and the nights vanish more quickly, we are grateful for the many blessings of the past and resolve to work for an even better future.

Today, we humbly ask you to enlighten any darkness in the hearts of those gathered here who have been entrusted with the grave responsibility of making the laws that govern us.

May they resist any temptation to act out of selfish interests.

May they seek the common good of the people of this beautiful state.

Give them the wisdom they need to discern what is right and true.

Give them the knowledge they need to enact laws which bring hope to the poor, the weak and the vulnerable.

Give them the understanding and goodwill they need to listen to one another in charity.

On this April day when we are most aware of our temporal obligations, may we not neglect the demands of the spirit.

As they go about the business of the people, may the members of this body commit themselves to listen to the better angels of their nature as they seek to do the will of the people.

God of life, our nation is at war.

Keep safe those who have answered the call to serve their country.

Hasten their return to home and family.

With great sadness, we graciously ask you to comfort the loved ones of those who answered the call of duty.

They made the ultimate sacrifice in the defense of our nation and in the cause of liberty and justice.

With a gratitude that can never equal their valor we recall the brave service of these fallen soldiers: Army Reserve Captain Russell Seager, Marine Lance Corporal Jacob Meinert, Wisconsin Army National Guard Sergeant Ryan Adams.

We pause now to commend them to you.

Bless them with final peace and endless joy.

In the name of all that is holy, we pray.

Amen.”

The Senate remained standing and Senator Taylor led the Senate in the pledge of allegiance to the flag of the United States of America.

CHIEF CLERK’S ENTRIES

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 468** offered by Senator Lassa.

REPORT OF COMMITTEES

The committee on **Ethics Reform and Government Operations** reports and recommends:

Senate Bill 616

Relating to: energy conservation standards for the construction of certain buildings, energy and environmental design standards for state buildings, structures, and facilities, energy and environmental design standards for school district facilities and other local government buildings, leasing of state buildings, structures, and facilities, standards for the construction and use of graywater systems, granting rule–making authority, and making an appropriation.

Adoption of Senate Amendment 1.

Ayes, 4 – Senators Risser, Robson, Kreitlow and Ellis.

Noes, 1 – Senator A. Lasee.

Passage as amended.

Ayes, 4 – Senators Risser, Robson, Kreitlow and Ellis.

Noes, 1 – Senator A. Lasee.

Senate Bill 626

Relating to: modifications to platting requirements.
 Adoption of Senate Amendment 1.
 Ayes, 5 – Senators Risser, Robson, Kreitlow, Ellis and A. Lasee.
 Noes, 0 – None.
 Passage as amended.
 Ayes, 5 – Senators Risser, Robson, Kreitlow, Ellis and A. Lasee.
 Noes, 0 – None.

FRED RISSER
 Chairperson

The committee on **Labor, Elections and Urban Affairs** reports and recommends:

Senate Bill 435

Relating to: the period for retention of certain election materials in state and local elections.
 Adoption of Senate Substitute Amendment 1.
 Ayes, 5 – Senators Coggs, Wirch, Lehman, A. Lasee and Grothman.
 Noes, 0 – None.
 Passage as amended.
 Ayes, 4 – Senators Coggs, Wirch, Lehman and A. Lasee.
 Noes, 1 – Senator Grothman.

Senate Bill 669

Relating to: willful misclassification of an employee as a nonemployee by a person engaged in the painting or drywall finishing of buildings or other structures with intent to evade the laws related to income tax withholding, worker’s compensation, unemployment insurance, or employment discrimination and providing a penalty.
 Passage.
 Ayes, 4 – Senators Coggs, Wirch, Lehman and Grothman.
 Noes, 1 – Senator A. Lasee.

Senate Bill 672

Relating to: compliance by employers with certain laws whose enforcement depends on the proper classification of persons as employees or nonemployees and providing penalties.
 Passage.
 Ayes, 5 – Senators Coggs, Wirch, Lehman, A. Lasee and Grothman.
 Noes, 0 – None.

SPENCER COGGS
 Chairperson

PETITIONS AND COMMUNICATIONS

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

CORRECTIONS IN:

2009 SENATE BILL 273

Prepared by the Legislative Reference Bureau
 (April 15, 2010)

- Page 3, line 8: delete “biogas,” and substitute “biogas;”.

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a coauthor of **Senate Bill 667**.

Pursuant to Senate Rule 17 (5), Senator Carpenter added as a cosponsor of **Assembly Bill 552**.

Pursuant to Senate Rule 17 (5), Senator Carpenter added as a coauthor of **Senate Bill 609**.

Pursuant to Senate Rule 17 (5), Senator Taylor added as a coauthor of **Senate Bill 437**.

MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has adopted and asks concurrence in:

- Assembly Joint Resolution 107**
- Assembly Joint Resolution 108**
- Assembly Joint Resolution 116**
- Assembly Joint Resolution 121**
- Assembly Joint Resolution 124**

Senate Bill 399

Relating to: authorizing two or more cities, villages, towns, or counties, or a combination of such political subdivisions, to create a commission to issue conduit revenue bonds and exercise eminent domain authority and exempting from taxation interest on such bonds.

The question was: Shall Assembly amendment 1 to **Senate Bill 399** be concurred in?

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 32.

Noes – None.

Absent or not voting – Senator Leibham – 1.

Concurred in.

Senator Leibham, with unanimous consent, asked to be recorded as voting “Aye” on the question of concurrence of Assembly amendment 1 to **Senate Bill 399**.

**CONSIDERATION OF MOTIONS,
 RESOLUTIONS, AND JOINT RESOLUTIONS
 NOT REQUIRING A THIRD READING**

Senate Joint Resolution 65

Relating to: lead poisoning hazards, lead abatement, and requesting a study.

The question was: Shall **Senate Joint Resolution 65** be adopted?

Adopted.

Senate Joint Resolution 66

Relating to: proclaiming May 5, 2010, as Undergraduate Research Day and commending University of Wisconsin System students, faculty, and staff.

The question was: Shall **Senate Joint Resolution 66** be adopted?

Adopted.

Senate Joint Resolution 68

Relating to: commending the University of Wisconsin–Stevens Point men’s basketball team.

The question was: Shall **Senate Joint Resolution 68** be adopted?

Adopted.

Senate Joint Resolution 69

Relating to: commending past and present members of the Friends of the Wisconsin Historical Society on its 60th anniversary.

The question was: Shall **Senate Joint Resolution 69** be adopted?

Adopted.

Assembly Joint Resolution 101

Relating to: commending Fond du Lac High School on its sesquicentennial.

The question was: Shall **Assembly Joint Resolution 101** be concurred in?

Concurred in.

Assembly Joint Resolution 122

Relating to: declaring April as Forensic Month in Wisconsin.

The question was: Shall **Assembly Joint Resolution 122** be concurred in?

Concurred in.

Senator Lehman, with unanimous consent, asked that the Senate stand informal.

**SECOND READING AND AMENDMENTS OF
SENATE JOINT RESOLUTIONS
AND SENATE BILLS**

Senate Bill 172

Relating to: limiting a city’s and village’s use of direct annexation and authorizing limited town challenges to an annexation.

Read a second time.

Senator Holperin, with unanimous consent, asked that Senate amendment 1 to **Senate Bill 172** be withdrawn and returned to author.

The question was: Adoption of Senate amendment 2 to **Senate Bill 172**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 172

Read a third time and passed.

Senate Bill 273

Relating to: creation of renewable resource credits by electric providers and granting rule–making authority.

Read a second time.

Senator Decker, with unanimous consent, asked that **Senate Bill 273** be placed at the foot of the 11th order of business on today’s calendar.

Senate Bill 304

Relating to: the veterans tuition reimbursement program.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 304

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Passed.

Senate Bill 314

Relating to: traditional neighborhood development ordinances, mixed–use zoning, and the state housing strategy plan.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 314

Read a third time and passed.

Senate Bill 342

Relating to: pupils attending a school district under the Open Enrollment Program who are habitually truant.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 342

Read a third time and passed.

Senate Bill 417

Relating to: the threshold for registration and reporting by groups and individuals seeking to influence referendum results.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 417

Read a third time and passed.

Senate Bill 434

Relating to: the sale of unpasteurized milk, buttermilk, butter, and cream.

Read a second time.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 434**?

Adopted.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 434**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 434

Read a third time.

Senator Decker, with unanimous consent, asked that **Assembly Joint Resolution 116**, **Assembly Joint Resolution 124**, and **Assembly Joint Resolution 107** be withdrawn and taken up at this time.

Assembly Joint Resolution 116

Relating to: the life and military service of Lance Corporal Jacob Alexander Meinert.

The question was: Shall **Assembly Joint Resolution 116** be concurred in?

Concurred in by unanimous rising vote.

Assembly Joint Resolution 124

Relating to: the life and military service of Sgt. Ryan C. Adams.

The question was: Shall **Assembly Joint Resolution 124** be concurred in?

Concurred in by unanimous rising vote.

Assembly Joint Resolution 107

Relating to: the life and military service of United States Army Reserve Captain Russell Seager.

The question was: Shall **Assembly Joint Resolution 107** be concurred in?

Concurred in by unanimous rising vote.

Senator Decker, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 116**, **Assembly Joint Resolution 124**, and **Assembly Joint Resolution 107**.

Senator Decker, with unanimous consent, asked that the Senate recess until 12:30 P.M.

11:37 A.M.

RECESS

12:30 P.M.

The Senate reconvened.

President Risser in the chair.

President Risser, with unanimous consent, asked that the Senate recess until the call of the Chair.

12:31 P.M.

2:56 P.M.

The Senate reconvened.

President Risser in the chair.

Senate Bill 434

Relating to: the sale of unpasteurized milk, buttermilk, butter, and cream.

The ayes and noes were required and the vote was: ayes, 25; noes, 8; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kreitlow, A. Lasee, Lazich, Leibham, Miller, Olsen, Plale, Schultz, Taylor and Vinehout – 25.

Noes – Senators Coggs, Kedzie, Lassa, Lehman, Risser, Robson, Sullivan and Wirch – 8.

Absent or not voting – None.

Passed.

Senate Bill 437

Relating to: authorizing the state superintendent of public instruction to direct a school district to implement a new curriculum or instructional design, make personnel changes, or adopt accountability measures, and requiring the exercise of rule-making authority.

Read a second time.

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 437** offered by Senator Grothman.

POINT OF ORDER

Senator Decker raised the point of order that Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 437** was not germane.

The Chair ruled the point of order well taken.

Senator Grothman appealed the ruling of the Chair.

The question was: Shall the Decision of the Chair stand as the judgement of the Senate?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Decker, Erpenbach, Hansen, Holperin, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 18.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Hopper, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen and Schultz – 15.

Absent or not voting – None.

The Decision of the Chair stands as the judgement of the Senate.

Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 437** offered by Senator Kanavas.

POINT OF ORDER

Senator Decker raised the point of order that Senate amendment 2 to Senate substitute amendment 1 to **Senate Bill 437** was not germane.

The Chair ruled the point of order well taken.

Senator Kanavas appealed the ruling of the Chair.

The question was: Shall the Decision of the chair stand as the judgement of the Senate?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Decker, Erpenbach, Hansen, Holperin, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 18.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Hopper, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen and Schultz – 15.

Absent or not voting – None.

The Decision of the Chair stands as the judgement of the Senate.

Senator Decker, with unanimous consent, asked that **Senate Bill 437** be placed after **Senate Bill 604** on today's calendar.

Senate Bill 456

Relating to: special distinguishing registration plates supporting motorcycle safety and making appropriations.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 456**?

Adopted.

The question was: Adoption of Senate amendment 2 to **Senate Bill 456**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 456

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 32.

Noes – Senator A. Lasee – 1.

Absent or not voting – None.

Passed.

Senate Bill 502

Relating to: exempting wellness programs from unfair trade or marketing practices.

Read a second time.

Senator Decker, with unanimous consent, asked that **Assembly Bill 699** be withdrawn from the committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue** and taken up at this time.

Assembly Bill 699

Relating to: exempting wellness programs from unfair trade or marketing practices.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 699

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Senate Bill 502** be laid on the table.

Senate Bill 552

Relating to: consideration for the purpose of gambling.

Read a second time.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 552

Read a third time and passed.

Senate Bill 578

Relating to: adding a member to the council on veterans programs.

Read a second time.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 578

Read a third time and passed.

Senate Bill 581

Relating to: prohibiting social security numbers on instruments under the corporate registration system and on records under Article 9 of the Uniform Commercial Code.

Read a second time.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 581

Read a third time and passed.

Senate Bill 585

Relating to: prohibiting discrimination against an employee who declines to attend an employer-sponsored meeting or to

participate in any communication with the employer or with an agent, representative, or designee of the employer, the primary purpose of which is to communicate the opinion of the employer about religious or political matters.

Read a second time.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 585

Read a third time and passed.

Senate Bill 586

Relating to: apprentice contracts, the appointment and composition of the Wisconsin Apprenticeship Council, requiring the exercise of rule-making authority, and providing a penalty.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 586

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 32.

Noes – Senator A. Lasee – 1.

Absent or not voting – None.

Passed.

Senate Bill 587

Relating to: commercial real estate liens and recording a correction instrument and a lis pendens.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 587?**

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 587

Read a third time and passed.

Senate Bill 590

Relating to: petitions and management plans for the designation of managed forest land; transferrals of ownership of managed forest land; establishing stumpage values, filing cutting reports, and estimating withdrawal taxes under the managed forest land program; signatures and authentication requirements for orders under the forest croplands program;

granting rule-making authority; making an appropriation; and providing a penalty.

Read a second time.

Senator Decker, with unanimous consent, asked that **Assembly Bill 580** be withdrawn from the committee on **Transportation, Tourism, Forestry, and Natural Resources** and taken up at this time.

Assembly Bill 580

Relating to: petitions and management plans for the designation of managed forest land; transferrals of ownership of managed forest land; establishing stumpage values, filing cutting reports, and estimating withdrawal taxes under the managed forest land program; signatures and authentication requirements for orders under the forest croplands program; granting rule-making authority; making an appropriation; and providing a penalty.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 580

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Senate Bill 590** be laid on the table.

Senate Bill 601

Relating to: comprehensive planning.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 601

Read a third time and passed.

Senate Bill 604

Relating to: defining political subdivision of a state for purposes of the Wisconsin Uniform Securities Law.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 604?**

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 604

Read a third time and passed.

Senate Bill 437

Relating to: authorizing the state superintendent of public instruction to direct a school district to implement a new curriculum or instructional design, make personnel changes, or adopt accountability measures, and requiring the exercise of rule-making authority.

Senator Decker, with unanimous consent, asked that **Senate Bill 437** be placed at the foot of the 11th order of business on today's calendar.

Placed at the foot of order of business.

Senate Bill 609

Relating to: requiring informed consent before administration of psychotropic medication to a nursing home resident who has degenerative brain disorder.

Read a second time.

The question was: Adoption of Senate amendment 1 to Senate amendment 1 to **Senate Bill 609**?

Adopted.

The question was: Adoption of Senate amendment 1 to **Senate Bill 609**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 609

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Passed.

Senate Bill 614

Relating to: the operation of motor vehicles on the exposed beds of outlying waters to control *Phragmites australis*.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 614**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 614

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Passed.

Senate Bill 615

Relating to: exemption for interstate natural gas companies from certain requirements regarding real estate transactions and court actions, creation and powers of municipal electric companies, and exemption from certificate of public convenience and necessity for certain electric transmission line projects.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 615**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 615

Read a third time and passed.

Senate Bill 618

Relating to: raffles.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 618

Read a third time and passed.

Senate Bill 619

Relating to: Celebrate Children special distinguishing registration plates.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 619

Read a third time and passed.

Senate Bill 622

Relating to: the number of raffles permitted in a year.

Read a second time.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 622

Read a third time and passed.

Senate Bill 625

Relating to: streamlined sales and use tax agreement changes.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 625

Read a third time.

The ayes and noes were required and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Decker, Erpenbach, Hansen, Holperin, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 18.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Hopper, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen and Schultz – 15.

Absent or not voting – None.

Passed.

Senate Bill 656

Relating to: construction of a rural dental education outreach facility in Marshfield, granting bonding authority, and making an appropriation.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 656

Read a third time.

The ayes and noes were required and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Decker, Erpenbach, Hansen, Holperin, Jauch, Kreitlow, Lassa, Lehman, Miller, Olsen, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 19.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Hopper, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham and Schultz – 14.

Absent or not voting – None.

Passed.

Senate Bill 681

Relating to: adopting the Interstate Compact on Educational Opportunity for Military Children and making an appropriation.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 681

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Passed.

Senate Bill 273

Relating to: creation of renewable resource credits by electric providers and granting rule-making authority.

Senate amendment 1 to **Senate Bill 273** offered by Senators Decker, Plale and Hansen.

Senate amendment 1 to Senate amendment 1 to **Senate Bill 273** offered by Senator Miller.

Senator Plale moved rejection of Senate amendment 1 to Senate amendment 1 to **Senate Bill 273**.

The question was: Rejection of Senate amendment 1 to Senate amendment 1 to **Senate Bill 273**?

The ayes and noes were demanded and the vote was: ayes, 23; noes, 10; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Cowles, Darling, Decker, Ellis, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Leibham, Olsen, Plale, Schultz and Vinehout – 23.

Noes – Senators Coggs, Erpenbach, Jauch, Lehman, Miller, Risser, Robson, Sullivan, Taylor and Wirch – 10.

Absent or not voting – None.

Rejected.

POINT OF ORDER

Senator Miller raised the point of order that Senate amendment 1 to **Senate Bill 273** was not germane.

The Chair ruled the point not well taken.

The question was: Adoption of Senate amendment 1 to **Senate Bill 273**?

The ayes and noes were demanded and the vote was: ayes, 26; noes, 7; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Leibham, Olsen, Plale, Schultz, Sullivan, Taylor and Vinehout – 26.

Noes – Senators Ellis, Jauch, Lehman, Miller, Risser, Robson and Wirch – 7.

Absent or not voting – None.

Adopted.

Senate amendment 2 to **Senate Bill 273** offered by Senator Miller.

Senator Plale moved rejection of Senate amendment 2 to **Senate Bill 273**.

The question was: Rejection of Senate amendment 2 to **Senate Bill 273**?

Rejected.

Senate amendment 3 to **Senate Bill 273** offered by Senator Miller.

Senator Plale moved rejection of Senate amendment 3 to **Senate Bill 273**.

The question was: Rejection of Senate amendment 3 to **Senate Bill 273**?

The ayes and noes were demanded and the vote was: ayes, 23; noes, 10; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Cowles, Darling, Decker, Ellis, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lazich, Leibham, Olsen, Plale, Schultz, Sullivan and Vinehout – 23.

Noes – Senators Coggs, Erpenbach, Jauch, Lassa, Lehman, Miller, Risser, Robson, Taylor and Wirch – 10.

Absent or not voting – None.

Rejected.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 273

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 25; noes, 8; absent or not voting, 0; as follows:

Ayes – Senators Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Leibham, Olsen, Plale, Schultz, Sullivan, Taylor and Vinehout – 25.

Noes – Senators Carpenter, Coggs, Jauch, Lehman, Miller, Risser, Robson and Wirch – 8.

Absent or not voting – None.

Passed.

Senate Bill 437

Relating to: authorizing the state superintendent of public instruction to direct a school district to implement a new curriculum or instructional design, make personnel changes, or adopt accountability measures, and requiring the exercise of rule-making authority.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 437**?

Adopted.

Senate substitute amendment 2 to **Senate Bill 437** offered by Senator Grothman.

POINT OF ORDER

Senator Decker raised the point of order that Senate substitute amendment 2 to **Senate Bill 437** was not germane.

The Chair ruled the point of order well taken.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 437

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Decker, Erpenbach, Hansen, Holperin, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 18.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Hopper, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen and Schultz – 15.

Absent or not voting – None.

Passed.

Senator Decker asked unanimous consent that all action be immediately message to the Assembly:

Senator Miller objected.

Senator Miller asked unanimous consent to expunge all votes on **Senate Bill 273**.

Senator Decker objected.

Senator Decker, with unanimous consent, asked that all action be immediately messaged to the Assembly:

Senate Joint Resolution 65

Senate Joint Resolution 66

Senate Joint Resolution 68

Senate Joint Resolution 69

Senate Bill 172

Senate Bill 273

Senate Bill 304

Senate Bill 314

Senate Bill 342

Senate Bill 417

Senate Bill 434

Senate Bill 437

Senate Bill 456

Senate Bill 552

Senate Bill 578

Senate Bill 581

Senate Bill 585

Senate Bill 586

Senate Bill 587

Senate Bill 601

Senate Bill 604

Senate Bill 609

Senate Bill 614

Senate Bill 615

Senate Bill 618

Senate Bill 619

Senate Bill 622

Senate Bill 625

Senate Bill 656

Senate Bill 681

Assembly Joint Resolution 101

Assembly Joint Resolution 107

Assembly Joint Resolution 116

Assembly Joint Resolution 122

Assembly Joint Resolution 124

Assembly Bill 580

Assembly Bill 699

Messaged.

Senate Bill 399

Action Messaged.

Senator Miller, with unanimous consent, asked that the Senate recess.

5:51 P.M.

RECESS

6:03 P.M.

The Senate reconvened.

President Risser in the chair.

**SECOND READING AND AMENDMENTS OF
ASSEMBLY JOINT RESOLUTIONS
AND ASSEMBLY BILLS**

Assembly Bill 260

Relating to: extraterritorial plat approval on basis of land's use.

Read a second time.

Senator Erpenbach asked unanimous consent that **Assembly Bill 260** be referred to the committee on **Senate Organization**.

Senator Kreitlow objected.

Senator Erpenbach moved that **Assembly Bill 260** be referred to the committee on **Senate Organization**.

The question was: Shall **Assembly Bill 260** be referred to the committee on **Senate Organization**?

The ayes and noes were demanded and the vote was: ayes, 11; noes, 22; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Erpenbach, Grothman, Kanavas, Lassa, Lazich, Miller, Risser, Robson, Sullivan and Wirch – 11.

Noes – Senators Coggs, Cowles, Darling, Decker, Ellis, S. Fitzgerald, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kapanke, Kedzie, Kreitlow, A. Lasee, Lehman, Leibham, Olsen, Plale, Schultz, Taylor and Vinehout – 22.

Absent or not voting – None.

Referral Refused.

Senate amendment 1 to **Assembly Bill 260** offered by Senator Lassa.

Senator Kreitlow moved rejection of Senate amendment 1 to **Assembly Bill 260**.

The question was: Rejection of Senate amendment 1 to **Assembly Bill 260**?

The ayes and noes were demanded and the vote was: ayes, 25; noes, 8; absent or not voting, 0; as follows:

Ayes – Senators Cowles, Darling, Decker, Ellis, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lazich, Lehman, Leibham, Olsen, Plale, Schultz, Sullivan, Taylor and Vinehout – 25.

Noes – Senators Carpenter, Coggs, Erpenbach, Lassa, Miller, Risser, Robson and Wirch – 8.

Absent or not voting – None.

Rejected.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 260

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 27; noes, 6; absent or not voting, 0; as follows:

Ayes – Senators Coggs, Cowles, Darling, Decker, Ellis, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Olsen, Plale, Schultz, Sullivan, Taylor and Vinehout – 27.

Noes – Senators Carpenter, Erpenbach, Miller, Risser, Robson and Wirch – 6.

Absent or not voting – None.

Concurred in.

Assembly Bill 269

Relating to: causing injury to a law enforcement officer while resisting or obstructing an officer or while attempting to flee and providing a penalty.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 269**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 269

Read a third time and concurred in as amended.

Assembly Bill 296

Relating to: children and their families who are involved in two or more systems of care and making an appropriation.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 296

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 28; noes, 5; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kedzie, Kreitlow, Lassa, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 28.

Noes – Senators Cowles, Grothman, Kapanke, A. Lasee and Lazich – 5.

Absent or not voting – None.

Concurred in.

Assembly Bill 314

Relating to: pesticide use by railroads, granting rule-making authority, and making an appropriation.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 314**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 314

Read a third time.

The ayes and noes were required and the vote was: ayes, 29; noes, 4; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, Lassa, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 29.

Noes – Senators Darling, Grothman, A. Lasee and Lazich – 4.

Absent or not voting – None.

Concurred in as amended.

Assembly Bill 371

Relating to: privileges under a Class A or Class B bear hunting license, and bear carcass tag and back tag requirements.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 371**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 371

Read a third time and concurred in as amended.

Assembly Bill 417

Relating to: requirements for initial licensure as a veterinarian.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 417

Read a third time and concurred in.

Assembly Bill 430

Relating to: making October 10, William D. Hoard Day, a legal holiday.

Read a second time.

The question was: Adoption of Senate substitute amendment 1 to **Assembly Bill 430**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 430

Read a third time and concurred in as amended.

Assembly Bill 552

Relating to: following snowplows and providing a penalty.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 552

Read a third time and concurred in.

Assembly Bill 588

Relating to: changes to the regulation of massage therapy and bodywork, creating the Massage Therapy and Bodywork Therapy Examining Board, and granting rule-making authority.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 588

Read a third time and concurred in.

Assembly Bill 599

Relating to: a speed limit for the operation of snowmobiles during the hours of darkness.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 599

Read a third time and concurred in.

Assembly Bill 633

Relating to: using county jail funds for costs related to providing educational and medical services to county jail inmates.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 633

Read a third time and concurred in.

Assembly Bill 650

Relating to: person under age 18 playing bingo.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 650

Read a third time and concurred in.

Assembly Bill 658

Relating to: qualifications of mortgage loan originators.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 658

Read a third time and concurred in.

Assembly Bill 720

Relating to: repealing, consolidating, renumbering, amending, and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, eliminating defects, anachronisms, conflicts, ambiguities, and obsolete provisions, reconciling conflicts, and repelling unintended repeals (Correction Bill).

Read a second time.

Senator Carpenter asked unanimous consent that **Assembly Bill 720** be referred to the Law Revision Committee.

Senator Erpenbach objected.

Senator Carpenter moved that **Assembly Bill 720** be referred to the Law Revision Committee.

IN THE CHAIR

Pursuant to Senate Rule 2 (1), Senate President Pro Tempore Kreitlow in the chair.

The question was: Shall **Assembly Bill 720** be referred to Law Revision Committee?

The ayes and noes were demanded and the vote was: ayes, 6; noes, 26; absent or not voting, 1; as follows:

Ayes – Senators Carpenter, Coggs, Grothman, Kedzie, Leibham and Schultz – 6.

Noes – Senators Cowles, Darling, Decker, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Miller, Olsen, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 26.

Absent or not voting – Senator Ellis – 1.

Referral refused.

Senate amendment 1 to **Assembly Bill 720** offered by Senators Risser and Erpenbach.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 720**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 720

Read a third time and concurred in as amended.

Senator Decker, with unanimous consent, asked that all action be immediately messaged to the Assembly:

- Assembly Bill 260**
- Assembly Bill 269**
- Assembly Bill 296**
- Assembly Bill 314**
- Assembly Bill 371**
- Assembly Bill 417**
- Assembly Bill 430**
- Assembly Bill 552**
- Assembly Bill 588**
- Assembly Bill 599**
- Assembly Bill 633**
- Assembly Bill 650**
- Assembly Bill 658**
- Assembly Bill 720**

Messaged.

MOTIONS MAY BE OFFERED

Senator Carpenter moved that **Assembly Bill 482** be withdrawn from the committee on **Senate Organization** and placed on the Calendar of 4–20–2010.

Senator Lehman, with unanimous consent, asked that the Senate recess.

6:54 P.M.

RECESS

7:08 P.M.

The Senate reconvened.

President Risser in the chair.

ADJOURNMENT

Senator Decker, with unanimous consent, asked that the Senate adjourn until Tuesday, April 20, 2010.

Senator Carpenter objected.

Senator Decker moved that the Senate adjourn until Tuesday, April 20, 2010.

The question was: Shall the Senate stand adjourned until Tuesday, April 20, 2010?

Adjourned.

7:08 P.M.